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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/876,839	06/16/97	HOLT	S 192600780

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191 PEACHTREE STREET NE 37TH FL
ATLANTA GA 30303-1769

LM02/0817

EXAMINER

TIEU, B

ART UNIT	PAPER NUMBER
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2742

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DATE MAILED: 08/17/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/876,839

Applicant(s)

Holt et al

Examiner

Benny Quoc Tieu

Group Art Unit

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☒ Responsive to communication(s) filed on 6/1/99 and IDS filed 1/25/99

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-16 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-16 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-11 and 13-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Morganstein (U.S. Patent No. 5,029,196).

Regarding claim 1, Morganstein teaches a method for routing a call based on the identity of an originating source of the call, comprising the steps of: maintaining a plurality of routing lists (Fig. 1, 54), each routing lists being associated with at least one originating source (Fig. 3, 82) and comprising a plurality of directory numbers (Fig. 3, 82, 84,88, and 90); receiving the call from the originating source (any number 82 of Fig. 3); selecting a routing list associated with the originating source from the plurality of routing lists (column 5, lines 24-33 and lines 45-50); and directing the call according to the routing list (column 5, lines 50-51).

Regarding claims 2 and 4, Morganstein further teaches the method wherein the selecting a routing list step comprising the steps of: detecting a directory number of the originating source

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(column 10, lines 58-62); retrieving an associated routing list for the directory number (column 10, lines 63-65); and retrieving a default routing list if the associated routing list does not exist (column 10, line 65 - column 11, line 2, and column 11, lines 32-46).

Regarding claim 3, Morganstein further teaches the method wherein the selecting a routing list step further comprises the steps of: requesting the originating source to provide an identification code (column 1, lines 41-45); receiving the identification code (column 1, line 46); retrieving an associated routing list for the identification code (column 2, lines 20-45); and retrieving a default routing list if the associated routing list does not exist (column 2, lines 46-58).

Regarding claims 5-7, the limitations of the claims are rejected for the same reasons as set forth in rejection of claims 1-3 above.

Regarding claims 8-10, Morganstein further teaches the method wherein the selecting a routing list step further comprises the step of selecting the routing list from a group of routing lists identified for the originating party based on the day of the week or/and the time of the day the communication is received (column 13, lines 15-18).

Regarding claim 11, the limitations of the claim are rejected for the same reasons as set forth in claims 1 and 2 above. In addition, Morganstein teaches a system for routing calls for a personal number subscriber based on the calling line identification (CLID) of an originator, comprising: a processing unit (Fig. 1, 38); a memory storage device (Fig. 1, 54) operative to store a plurality of routing lists for the personal number subscriber, each routing list comprising a

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plurality of directory numbers (Fig. 3); a receiving interface device (Fig. 1, 36) and a transmitting interface device (Fig. 1, 36) coupled to the processing unit for receiving calls and placing calls, respectively; and the processing unit being operative to: receive a call (16 or 18, for example) on the receiving interface device (Fig. 1, 36), the call being directed to the personal number subscriber (Fig. 1, 24, 25, 28, and 50).

Regarding claim 13, the limitations of the claim are rejected for the same reasons as set forth in claims 1 and 5 above.

Regarding claim 14, Morganstein further teaches the computer-readable medium wherein the identifying criteria comprises a CLID message and the step of obtaining an identifying criteria further comprises receiving the CLID message (Abstract).

Regarding claim 15, Morganstein further teaches the computer-readable medium wherein the identifying criteria comprises a DTMF code sequence and the step of obtaining an identifying criteria further comprises detecting the DTMF code sequences (column 6, lines 51-57).

Regarding claim 16, Morganstein further teaches the computer-readable medium wherein the identifying criteria comprises a DTMF code sequence and the step of obtaining an identifying criteria further comprises the steps of: providing keypad menu selection options to the called party; and receiving a DTMF signal corresponding to a keypad menu selection from the called party (Figs. 2a & 2b).

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Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

4. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morganstein as applied to claim 1 above, and further in view of Eisdorfer et al. (U.S. Patent No. 5,706,339).

Regarding claim 12, Morganstein fails to teach the system wherein the processing unit directs the call setup request by: selecting a first directory number from the routing list; routing the call to the first directory number; receiving communication disposition information from the first directory number; and if the communication disposition indicates the routing step failed, selecting a next directory number from the routing list and repeating above steps at the next

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directory number. However, Eisdorfer et al. teaches a technique for use in processing personal telephone calls wherein a call to a personal telephone number may be routed to a sequence of telephone numbers until the call is answered or abandoned (Abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of routing a call in sequence as taught by Eisdorfer et al. into the system disclosed by Morganstein in order to reach the subscriber.

Response to Arguments

5. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Archibald et al. (U.S. Patent No. 5,301,246) teaches a data communications equipment security device using calling party directory number. Bogart et al. (U.S. Patent No. 5,343,517) teaches an use-code based call-treatment selection. Furman (U.S. Patent No. 5,465,295) teaches a caller directed routing of a telephone call based on a dialed suffix.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **BENNY Q. TIEU** whose telephone number is **(703) 305-2360**. The examiner can normally be reached on Monday through Friday from 7:00AM to 5:30PM.

The fax number for this Group is (703) 308-9051.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305-4700.

Patent Examiner: BENNY QUOC TIEU

Benny Q. Tieu

Date: August 3, 1999.

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Krista Zele

**KRISTA ZELE
SUPERVISORY PATENT EXAMINER
GROUP 2700**